

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

IDOWU FAMUYIWA,  
Plaintiff,

vs.

AGBAYANI CONSTRUCTION  
COMPANY, NEVADA EQUAL  
RIGHTS COMMISSION, NERC,  
EEOC,  
Defendants.

2:10-CV-01338-PMP-PAL

**ORDER**

On November 22, 2010, the Court conducted a hearing on Defendants' Motion to Dismiss for Failure to State a Claim or in the Alternative Motion for More Definite Statement (Doc. #4). The Court denied Defendants' Motion to Dismiss, but granted Defendants' Motion for Definiente Statement (Doc. #13).

On December 20, 2010, Plaintiff filed an Amended Complaint (Doc. #15). Defendants' fully briefed Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim or in the Alternative Motion for More Definite Statement (Doc. #16) is now before the Court for consideration. The Court finds that Defendants' Motion to Dismiss must be granted.

Specifically, Plaintiff's Amended Complaint fails to state cognizable claims for relief as required by Rule 8(a) of the Federal Rules of Civil Procedure, and is therefore subject to dismissal pursuant to Rule 12(b)(6). Although it appears he is attempting to do so, Plaintiff's Amended Complaint fails to state sufficient

1 allegations in support of claims for age discrimination or for discrimination based  
2 upon race or national origin.

3 **IT IS THEREFORE ORDERED that** Defendants' Motion to Dismiss  
4 Plaintiff's Amended Complaint for Failure to State a Claim or in the Alternative  
5 Motion for More Definite Statement (Doc. #16) is **GRANTED**.

6  
7 DATED: January 31, 2011.

8   
9 \_\_\_\_\_  
10 PHILIP M. PRO  
11 United States District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26